

Appl. No. : 9/574,736
Filed : May 18, 2000

REMARKS

In response to the Office Action, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Discussion of Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 1, 4-10, 14-16, and 19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,948,084, to Ha (hereinafter "Ha") in view of Japanese Patent Application No. 09-282065, to Terubumi (hereinafter "Terubumi"), and further in view of U.S. Patent No. 6,396,438, to Seal (hereinafter "Seal"). Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ha in view of Terubumi, in view Seal, and further in view of U.S. Patent No. 6,311,282 to Nelson. Claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ha in view of U.S. Patent No. 6,392,534 to Flick. Claims 13 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ha in view of Flick and further in view of Seal.

In one embodiment of Applicant's invention, a hand-held controller is provided that includes two assigned buttons that are associated with certain user-defined application programs. Upon selection of one of the assigned buttons, the computer is powered on and launches a first user-defined application program. Upon selection of another one of the assigned buttons, the computer is powered on and launches a second user-defined application program.

Applicant respectfully submits that the prior art fails to teach or suggest providing at least two assigned buttons that when activated causes the power of a computer and the launching of a selected user defined application. Ha generally describes a remote control for controlling certain application software on a powered up and operational computer. In the Office Action, the Examiner stated that Ha describes an on/off button to perform power on sequence of the computer. Applicant respectfully disagrees. Applicant respectfully submits that Ha describes providing an on/off button for controlling application software on the computer system 20, and not the computer system itself. See Ha, col. 3, lines 26-40.

Furthermore, Applicant respectfully submits that the cited references fail to teach or suggest the limitation in Claim 1, as amended, "wherein one of said assigned buttons initiates the power on sequence and the launching of a first user-defined application program and wherein

another one of said assigned buttons initiates the power on sequence and the launching of a second user-defined applications." Ha and Terubumi, in isolation or in combination, do not describe assigning at least *two* buttons for (i) *activating power up and launching a user-defined application program*. Similar limitations are recited in independent Claims 8, 10, 11, 14, and 17-19, as amended. Even if the systems of Ha and Terubumi, were combined, it would not derive the claimed invention. Applicant respectfully submits that neither Ha or Terubumi teach or suggest providing *two dual-function* assigned buttons on a hand-held controller for initiating power-on on a computer and launching user-predefined applications. Furthermore, Applicant respectfully submits that these limitations are not taught or suggested by Seal. Seal was relied upon in the Office Action for the fact that transmission of control signals in the range greater than 100 feet was known in the prior art.

Applicant respectfully submits that since Ha, Terubumi, and Seal do not teach or suggest in isolation or in combination at least the above limitations, these claims are in condition for allowance. Furthermore, since claims 2, 4, 6-7, 9, 12-13, and 15-16 each depend on at least one of Claims 1, 5, 8, 11, 14, and 17, Applicant respectfully submits that the claims are allowable for at least the reasons discussed above.

Summary

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and the claims would satisfy the statutory requirements for patentability without the entry of such amendments. In addition, such amendments do not narrow the scope of the claims. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is

Appl. No. : 9/574,736
Filed : May 18, 2000

specifically requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 7/17/2003

By: E. Nelson
Eric M. Nelson
Registration No. 43,829
Attorney of Record
Customer No. 20,995
(619) 235-8550

S:\DOCS\EMN\EMN-3176.DOC
071703